

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 09 January 2001 (09.01.01)	
International application No. PCT/SE00/00727	Applicant's or agent's file reference P11057-M/MÅ
International filing date (day/month/year) 17 April 2000 (17.04.00)	Priority date (day/month/year) 30 April 1999 (30.04.99)
Applicant WILLNER, Eva et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
 17 November 2000 (17.11.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer R. E. Stoffel Telephone No.: (41-22) 338.83.38
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P11057-M/MÅ	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/SE00/00727	International filing date (<i>day month year</i>) 17.04.2000	Priority date (<i>day month year</i>) 30.04.1999
International Patent Classification (IPC) or national classification and IPC7 A61F 5/02		
Applicant Camp Scandinavia AB et al		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>1</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 17.11.2000	Date of completion of this report 14.08.2001
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. 08-667 72 88	Authorized officer Ingrid Falk/EK Telephone No. 08-782 25 00

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/SE00/00727

I. Basis of the report**1. With regard to the elements of the international application:***☐ the international application as originally filed☒ the description:pages 1 - 7 , as originally filed

pages _____ , filed with the demand

pages _____ , filed with the letter of _____

☒ the claims:

pages _____ , as originally filed

pages _____ , as amended (together with any statement) under article 19

pages _____ , filed with the demand

pages 8 , filed with the letter of 13.06.2001☒ the drawings:

pages _____ , as originally filed

pages _____ , filed with the demand

pages 1 - 5 , filed with the letter of 16.06.2000☐ the sequence listing part of the description:

pages _____ , as originally filed

pages _____ , filed with the demand

pages _____ , filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**☐ contained in the international application in written form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.**4. ☐ The amendments have resulted in the cancellation of:**☐ the description, pages _____☐ the claims, Nos. _____☐ the drawings, sheet/fig _____**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2 (c)).****

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/SE00/00727

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-11</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-11</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-11</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Amended claims were filed on 13.08.2001.

The invention relates to an adjustable spinal brace, comprising a posterior frame and an abdominal pad interconnected by a connection means. The connection means comprises iliac rolls and straps. The straps are connected to the abdominal pad. According to the amended claims the posterior frame also has an adjustable lumbar pad provided with pressure setting means for setting the distance between the pad and the frame.

In the International search Report the following documents were cited:

- (D1) US 3945376 A
- (D2) US 2934883 A
- (D3) DE3522533 A1
- (D4) SE 454944 B

The documents reveal different spinal braces. However, none of the documents nor any relevant combination of them, reveal an adjustable spinal brace according to the restricted claims. It is true that document (D4) reveals a lumbar pad, but the pad is used in a device for testing out a spinal orthose or corset that has no iliac rolls.

Hence, the invention is novel. The invention is also not obvious to a person skilled in the art. Accordingly, it involves an inventive step. The industrial applicability is obvious.

13 -06- 2001

CLAIMS

JC13 Rec'd PCT/PTO 26 OCT 2001

1. An adjustable spinal brace comprising an anterior abdominal pad (7), a posterior frame (1) and lateral iliac rolls (3), said iliac rolls (3) to be positioned at the top of the pelvis bone (crista iliaca), and the abdominal pad (7) and the posterior frame (1) being interconnected by a connection means, **characterised** in that the connection means comprises said iliac rolls (3) and straps (4) to be connected to the anterior abdominal pad (7), and in that the posterior frame (1) has an adjustable lumbar pad (2) provided with pressure setting means (8) for setting the distance between the lumbar pad (2) and the posterior frame (1), thereby enabling an adjustment of the applied pressure.
2. A spinal brace according to claim 1, **characterised** in that the lumbar pad also (2) is adjustable in height.
3. A spinal brace according to claim 1 or 2, **characterised** in that the pressure setting means comprises a screw jack (8, 16).
4. A spinal brace according to claim 3, **characterised** in that the screw jack comprises a vertically placed adjusting screw (8).
5. A spinal brace according to claim 3 or 4, **characterised** in that the position of the screw (8) of the screw jack is adjustable in the lateral direction.
6. A spinal brace according to any of the previous claims, **characterised** in that the posterior frame (1) comprises two vertical struts (12), a cranial horizontal support (5) and a caudal horizontal support (6).
7. A spinal brace according to claim 6, **characterised** in that the cranial horizontal support (5) and the caudal horizontal supports (6) are adjustable in height.
8. A spinal brace according to any of the previous claims, **characterised** in that straps (4) are provided between the iliac rolls (3) and the abdominal pad (7).
9. A spinal brace according to claim 8 and 6 or 7, **characterised** in that straps (4) are provided between the horizontal supports (5, 6) and the abdominal pad (7).
10. A spinal brace according to any of the previous claims, **characterised** in that the anterior abdominal pad (7) is lightweight and concave and adapted to cover the abdomen substantially from the symphysis to the sternum point.
11. A spinal brace according to claim 10, **characterised** in that the cranial border of the anterior abdominal pad (7) is shaped after the lower ribs.